# Comment Set 37

KINDER MORGAN
ENERGY PARTNERS, L.P.
SFPP, L.P.

July 25, 2003

**SFPP, L.P.**
Operating Partnership

Ms. Judy Brown
California State Lands Commission
Suite 100-South
100 Howe Avenue
Sacramento, CA 95825-8202

Subject: Concord to Sacramento Pipeline Project
Comments on the Draft Environmental Impact Report

Dear Ms. Brown:

The comments of SFPP, L.P.'s (SFPP) on the Draft Environmental Impact Report (DEIR) for the Concord to Sacramento Pipeline Project are enclosed. Our comments, contained in the Attachment, address items that require correction/clarification or are of concern to SFPP.

SFPP appreciates the opportunity to provide these comments on the DEIR. Please call me at 714-560-4943 with any questions you may have

Sincerely,

Eduardo E. Ferrer
Manager – Pacific Engineering

ads

Enclosures

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**ATTACHMENT** **SFPP, L.P. DEIR COMMENTS**

## EXECUTIVE SUMMARY

The full legal name of the company is SFPP, L.P. SFPP is not an acronym. Section B-1 presents the correct use of SFPP, L.P. and reference to Kinder Morgan Energy Partners, L.P. The correction is also needed on page A-1. **37-1**

Table ES-1 shows impact related to A-2 as Significant, Unmitigable. This appears to be incorrect as the analysis in the text (page D.3-12) indicates that this impact should be Less than Significant with Mitigation. **37-2**

## PROJECT DESCRIPTION – DEIR SECTION B

***Table B-1. Summary of Pipeline Components***

Please incorporate the following:

Add bullet under Operating Parameters: **37-3**

- Maximum Design Pressure: 1440 psig

Modify bullet under Concord Station (See comment below on Section B.3.3.1 for further information related to this modification): **37-4**

- New surge and ~~existing~~ new shipping pumps ~~upgrades~~

***B.3.1 Description of the Proposed Pipeline and B.3.2 Carquinez Strait Crossing: Phase 2.*** **37-5**

The text appears to indicate that this section of the pipeline cannot be safely used after 12 years. SFPP believes the pipeline can be safely used for many more years than 12 and, in fact, would be used for many more years than 12 if the proposed project were not to be constructed.

SFPP cannot know that HDD technology will be sufficiently developed to install the new 20-inch diameter pipe using a single HDD, nor can it assume that an HDD could be permitted in the future. Also, the proposed drill would be approximately 6800 feet and not 6000 feet as stated.

SFPP proposes the following text modification:

**Section B.3.1 (page B-3, last paragraph)**

Upon project approval, the CSLC will issue a 25-year lease to SFPP for construction and operation of the Proposed Project. The project has an expected life of 50 years. The proposed CSLC lease terms would require that the project must be decommissioned (cleaned and no longer used for product shipment) or removed when the lease expires, unless the lease term is extended. As noted in Section B.3.2, the existing pipeline

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crossing of the Carquinez Strait ~~has a useful life of~~ could limit the capacity of the 70-mile segment in approximately12 years if demand increases at the rate currently projected. The CSLC lease will require that the existing periodic inspection program being conducted by the Applicant on this portion of the Proposed Project be continued and that this portion of the pipeline be decommissioned, repaired or ~~and~~ replaced if the inspection program indicates that the pipeline condition degrades so that it no longer meets the design specifications. ~~within 12 years of project approval~~. Table B-1 summarizes the components of the proposed pipeline. **37-5**

**Section B.3.2 (Page B-18)**

SFPP plans to modify this pipeline project in the future to include a new 20-inch pipeline that would be installed by directional drilling across the Carquinez Strait. This is estimated to ~~would~~ occur in approximately 10 to 12 years for the following reasons:

- In 10 to 12 years, SFPP estimates that the capacity of the proposed system, that will include approximately 1.1 miles of existing 14-inch pipe, will be reached ~~so they would not be able to ship the increased product that is~~. The replacement of the 14-inch pipe with 20-inch pipe will further increase the system capacity to meet the expected ~~to be~~ demand~~ed~~ in the region.
- The CSLC's petroleum structures engineer has determined that the existing pipeline could safely be used for at least 12 more years based on it's current condition and continued operation, inspection, and maintenance procedures.

*B.3.3.1 Concord Station Pump System* **37-6**

As detailed design has progressed, it has been determined that reuse of the existing pumps will not be energy efficient. As a result, new replacement pumps will be purchased that will have the same pressure/flow capabilities but that can operate more efficiently.

SFPP proposes the following text modification (page B-21):

> **Pump System.** The existing ~~impellers in the~~ shipping pumps would be replaced ~~to accommodate the increased flow rate and take advantage of available motor horsepower.~~ with new shipping pumps with the same pressure/flow capabilities, but that can operate more efficiently with the existing motors.

*B.4.1 Construction Schedule, Planning, and Labor Force* **37-7**

The stated construction production rates are not correct.

The following text revision provides the correct information:

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Construction of Proposed Project currently anticipates the use of eight separate construction "spreads" (a spread is a separate construction work area with separate personnel). All of these spreads could be working concurrently at different locations. ~~and would proceed at an average of 200 to 500 lineal feet per day.~~ Average pipeline installation rates will be 2000 to 3000 feet per day for the mainline (cross country) spread and 500 to 800 feet per day for the street work (urban) spread. Each of these two primary spreads will be supported by the hammer bore crew, auger bore crew, and HDD crews for specific crossings. **37-7**

## ALTERNATIVES – DEIR SECTION C

### *C.3.2 Existing Pipeline Right-of-Way Alternative* **37-8**

SFPP would like to reiterate our concern with the legal, political, and economic viability of constructing the Existing ROW Alternative. As we have previously indicated, there are serious considerations and major obstacles related to SFPP to constructing the new pipeline longitudinally in Union Pacific Rail Road right-of-way (UPRR ROW) for the following reasons:

- Ongoing and unresolved litigation with UPRR will prevent the timely negotiation of an agreement that allows for placement of an additional pipeline in UPRR ROW. The project could be delayed for years, which would interfere with SFPP's ability to meet the project objectives of increasing capacity by 2006, when current capacity is projected to be exceeded, and to minimize truck transportation, which may occur if the Proposed Project is not completed before current capacity is exceeded.

- Placing the pipeline in UPRR ROW could lead to other legal complications from future class action suits regarding the nature of the railroad's title to land. In contention is the railroad's right to grant easements to underground facilities. In addition, the easement could be subject to underlying fee interest and is reversionary in nature.

- UPRR currently is discouraging placing additional pipelines in their ROW because of issues with conflicting use and possible derailment.

- UPRR is expanding their entire system and may propose to add tracking in certain areas of the existing rail line, which would result in additional potential environmental impacts and costs due to possible relocation of the new pipeline.

- The UPRR ROW is often crowded with other utilities and there may not be room for an additional pipeline. Also, the placement of a new pipeline may result in dangerous construction and maintenance conditions. The Draft EIR does not discuss these issues.

- UPRR is requiring new pipelines in their ROW to be constructed to AREMA standards (more restrictive than DOT standards) which fundamentally changes the economic feasibility of this project.

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In summary, SFPP would not construct the Existing ROW Alternative because of these legal, political, and economic challenges. In reviewing the analysis in the EIR, there does not appear to be a clear environmental benefit for this alternative as opposed to the Proposed Project. Consequently, the EIR should conclude that the Existing ROW Alternative is not an environmentally superior alternative. **37-8**

*C.3.3.2 No Project Alternative Scenario*

The No Project Alternative Scenario fails to take into account DRA degradation as it passes through the pumps and the limitation of the amount of DRA that can be added to the line to maintain quality of the product. With these things taken into account, the actual calculation shows that two additional pump stations would increase capacity by only 19% (28,600 BPD). Additionally, based on the required spacing to maximize product volumes, one of the new pump stations would need to be located in the Suisun Marsh. **37-9**

The following text revision on page C-16 provides this information:

> To increase the flow rate and respond to increased demand, two or more booster pump stations could be constructed along the line. The line currently has one intermediate booster station, located at Elmira. The addition of booster pump stations could also allow the maximum operating pressure to be reduced. Although there has never been a pressure-related failure on the existing pipeline, ~~T~~this upgrade would significantly reduce the pipe stresses ~~and the risk of longitudinal weld seam failures in the existing pre-1970-ERW pipe~~. However, one of the booster stations would need to be installed within the Suisun Marsh. Booster pump stations would require between one and five acres, depending on the need for a relief tank and other variables (e.g., power source, layout, storage of emergency response equipment, etc.).
>
> Considering ~~that the Applicant is already injecting DRA into the line, the~~ degradation of DRA as it passes through the pumps and the limited amount of additional DRA that can be injected, the No Project Scenario assumes that the capacity of this line could be increased by an additional ~~25% (37,500 BPD)~~ 19% (28,600 BPD).

## ENVIRONMENTAL ANALYSIS – DEIR SECTION D

### Pipeline Safety and Risk of Accidents

SFPP believes that the analysis in this section highly overestimates the likelihood of a release and the quantity of product that would be released in event of a pipeline accident. Specifically: **37-10**

- In Table D.2-5, the incident rate for DOT reportable unintentional releases for a new 20-inch pipeline appears to be overestimated by a factor of 2. It appears that the analysis in this table does not take into account the combined effect of a new pipeline installed with current technology and 20-inch-diameter pipe (which is larger than the average diameter of the pipelines in the DOT or California database). Also, the estimated incident rate due

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to external corrosion (3.5) is shown to be more than twice that due to third-party construction (1.4). DOT and CSFM data show that, for modern pipelines, the incident rate due to external corrosion is lower by almost a factor of 10 than that due to third-party construction. The rates shown in this table for different causes use the California data that includes all releases of any size. For small releases (e.g., less than 50 barrels), the probability of serious consequences is practically zero. When considering larger releases (that have a potential to cause serious consequences), the incident rate due to external corrosion for modern pipelines is substantially less than that due to third-party construction. The analysis of different incident causes would be more meaningful if it were based on the releases of significant concern.

37-10

- In Table D.2-11, the number of serious injury incidents and the number of fatality incidents appear to be overestimated by a factor of about 5 for a new 20-inch pipeline. This is partly because the total incident rates may be overestimated for the reasons discussed in the previous paragraph and partly because of limited data on injury and fatality incidents in the California database. Using the larger DOT database would result in a more reliable estimate of the (conditional) probability of an injury or fatality incident given a reportable incident.

- Section D.2.3.5 Impacts of Unintentional Releases (Page D.2-31), Pipeline Rupture (first bullet). The response time to achieve valve closure is between 2.25 and 3 minutes, not 5 minutes as stated. This response time corresponds to the value used for the Green Valley rupture analysis and is based on SFPP's operational experience. As a result, the EIR analysis greatly overestimates the quantity of product that would be released. A 2.25 to 3 minute response time equates to 280 to 385 of additional barrels lost, which is 33 to 45 percent of the 840 barrels estimated.

The first bullet on page D.2-32 assumes that 4000 barrels would be lost before detection of imbalance through SFPP accounting system or other measures. The rationale for using this number is not provided, and based on our operational experience we believe that this number is an over-estimate. Please provide the basis for this assumption.

SFPP recognizes that although using the more realistic numbers will change the quantities, it will not change the ultimate conclusions related to the analysis. Consequently, SFPP does not believe that it is necessary to conduct a new analysis. SFPP would simply like to point out that the scenario presented in the DEIR is overly conservative.

*Mitigation Measures*

37-11

*S-1a Minimize Effect on Other Underground Facilities (page D.2-27)*

The discussion in the EIR limits use of industry-accepted methods for hand excavation.

SFPP proposes the following text modification:

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Prior to digging over, or within three feet of a known substructure, the Applicant shall require the construction contractor(s) to probe the area to positively locate the facility and measure the depth of the substructure; the Applicant shall also require the use of hand digging (including the use of air tools and/or vacuum extraction) within two feet (horizontal and vertical) of any existing substructure and within five feet of any pedestal, closure, riser guard, pole, meter of other structure. When paralleling an existing underground facility within 3 to 5 feet, the facility shall be exposed every 50 feet where feasible to positively verify the location and depth of the line. **37-11**

When boring or directionally drilling, the boring equipment shall be placed such that it is boring away from the majority of other underground facilities. When such facilities must be crossed, they shall be exposed (where feasible) to verify their location and depth. The results may require that the bore route or depth be changed to avoid potential damage to the existing facility.

*S-1b Minimize Risk of Fire (page D.2-35)*

**37-12**

The requirement for vegetation clearing in the first bullet must be limited to the 100-foot construction ROW as no vegetation clearing will be conducted outside this area. To minimize fire threat, welding or grinding will be restricted near the edge of the cleared ROW, a dedicated fire watch will be maintained for each welding crew working along the pipeline and fire protection equipment described in the mitigation measure will be on hand.

SFPP proposes the following text modification:

- Maintain all areas within the 100-foot construction ROW clear of vegetation and other flammable materials for at least a 30-foot radius from any welding or grinding operations. In areas where ~~or the use of an~~ open flame is used ~~(~~dry vegetation shall be removed from at least a 50-foot radius. ~~of any welding or grinding operations).~~ In no case shall vegetation clearing go beyond the limits of the approved construction ROW.

*S-2a Supplemental Spill Response Plan*

**37-13**

A separate Supplemental Spill Response Plan (SSRP) will be incorporated into appropriate sections of our Integrated Contingency Plan (ICP). The ICP is a comprehensive plan that replaced the Emergency Response Plan, the Oil Spill Core Plan, and the California Marine Water Appendices in January 2003. We would prepare the SSRP as requested in mitigation measures S-2a, B1a, and GW-4c using data and analysis generated for and contained in the Final EIR.

Emergency planning activities are within the jurisdiction of the U.S. Department of Transportation and the California State Fire Marshall (CSFM). These agencies have oversight responsibilities for review of emergency response plans. The EIR presents no data or analysis showing why additional regulation by CSLC, over and above that required by the agencies listed above, is necessary or how it would provide any greater protection for the environment than

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compliance with the regulations of the agencies already entrusted with the regulation of pipelines. Accordingly when the ICP is updated to include the 20-inch pipeline, appropriate sections would be submitted to CSLC for review and to U.S. DOT and CSFM for review and approval.

37-13

SFPP proposes the following modification to the beginning of this mitigation measure:

> S-2a Supplemental Spill Response Plan. ~~SFPP shall develop a Supplemental Spill Response Plan (SSRP) as a separate document to supplement its existing and approved Oil Spill Core Plan (OSCP) and California Marine Waters Appendices. The SSRP shall be provided to the CSLC, the California State Fire Marshal, and all jurisdictions along the pipeline ROW for review and comment prior to its finalization, and it must be approved prior to the start of pipeline operation. The~~ SFPP shall ~~update~~ prepare a Supplemental Spill Response Plan (SSRP) to include the 20-inch pipeline based on data and analysis generated for and contained in the Final Environmental Impact Report. The SSRP ~~spill response plan~~ shall be provided to the CSLC for review and to the U.S Department of Transportation and the California State Fire Marshal for review and approval. The sections covering the 20-inch pipeline shall include the following lists or information:...

The last paragraph of this mitigation measure as written presents a second issue. Storing spill response equipment within one-half mile of the pipeline route between MP 9 and MP 15 will not increase the response time to a release. Response time depends on the time it takes SFPP personnel and/or a spill response contractor to travel to the spill site. It is far more efficient for personnel to respond directly to the spill site with the needed equipment than to travel to a remote site to retrieve equipment. Depending on where the equipment is located between MP 9 and MP 15, it may not be possible to access the equipment or it may take longer to first travel to the storage area and then to the release site than it would for responder to bring equipment directly. SFPP maintains emergency response equipment readily available for spill response as detailed in the ICP. The equipment is located at all facilities from which personnel would mobilize in the event of a release from the 20-inch pipeline. In addition, SFPP has contracts in place with oil spill removal organizations and other clean-up and response contractors that are capable of responding to all discharges. Efficient and effective measures for response to any discharge at any location are already in place through the ICP.

SFPP proposes that the last paragraph in this mitigation measure be deleted as shown:

> Spill Reaching the Delta or Carquinez Strait, specifically identifying sensitive habitats with priority for protection, sensitive species and their potential locations in the affected Delta, marine and coastal environment. The response strategy shall list sensitive species potentially occurring in the waterway or in the Strait, and describe methods of protecting those species in the event of the worst-case spill event. It shall define specific cleanup methodology and techniques for containment and cleanup in the harbor and on the shoreline.